

Friday, June 13, 2025
Hon. Mae A. D'Agostino, Presiding
Clerk: Britney Norton
Steno: Lisa Tennyson

UNITED STATES OF AMERICA,

vs.

1:23-cr-491 (MAD)

OLUWASEUN ADEKOYA,
Defendant.

APPEARANCES: Office of the U.S. Attorney for the NDNY by: **Benjamin Clark, AUSA, Joshua Rosenthal, AUSA, and Matthew Paulbeck, AUSA** for the Government.

Pro se Defendant: **Oluwaseun Adekoya**, defendant.

O'Connell and Aronowicz by: **Ryan Forbes, Esq.**, stand-by counsel for defendant.

CRIMINAL JURY TRIAL - DAY 5 – Friday, June 13, 2025

9:03 a.m. Judge D'Agostino enters.

9:03 a.m. The Government addresses the Court regarding Jencks and Giglio materials provided to Mr. Adekoya this morning.

9:04 a.m. The defendant addresses the Court the testimony of Co-Conspirator number 10.

9:08 a.m. The jury enters.

9:09 a.m. The Government calls as its 34th witness, **MARY GUARDADO**. The witness is sworn and questioned. **G-96** presented to witness. **G-288** presented to witness and offered into evidence. **G-288 is Accepted and Received.**

9:19 a.m. Defense cross-examination of witness, **MARY GUARDADO**.

9:20 a.m. The Government calls as its 35th witness, **CO-CONSPIRATOR Number 11**.

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9:22 a.m. The jury is excused for a brief recess.

9:22 a.m. Judge D'Agostino addresses matters of law with counsel and Mr. Adekoya.

9:23 a.m. recess until the witness is in the courtroom.

9:25 a.m. Judge D'Agostino enters.

9:31 a.m. Jury enters.

9:31 a.m. The Government begins direct-examination of its 35th witness, **CO-CONSPIRATOR Number 11. G-176, G-181** presented to witness. G-290, G-262b presented to witness and offered into evidence. **G-290G-262b Accepted and Received.**

9:57 a.m. Sidebar with counsel.

9:59 a.m. The Government continues direct-examination of witness, **CO-CONSPIRATOR Number 11.** G-262b presented to witness.

10:09 a.m. Sidebar with counsel.

10:10 a.m. The Government continues direct-examination of witness, **CO-CONSPIRATOR Number 11. G-39, G-36, G-40, G-262b** presented to witness.

10:27 p.m. sidebar with counsel.

10:28 a.m. The Government continues direct-examination of witness, **CO-CONSPIRATOR Number 11. G-262b, G-70, G-246 (pg 1)** presented to witness.

10:37 a.m. Defense cross-examination of witness, **CO-CONSPIRATOR Number 11.**

10:43 a.m. Sidebar with counsel.

10:44 a.m. The defense continues cross-examination of witness, **CO-CONSPIRATOR Number 11.**

10:45 a.m. Sidebar with counsel.

10:45 a.m. Jury excused for recess.

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10:46 a.m. Judge D'Agostino addresses matters of law with counsel.

10:51 a.m. Recess.

11:01 a.m. Judge D'Agostino enters.

11:04 a.m. The jury enters.

11:04 a.m. The defendant withdraws the last question asked of this witness prior to the break.

11:04 a.m. The defense continues cross-examination of witness, **CO-CONSPIRATOR Number 11**.

11:05 a.m. The Government calls as its 36th witness, **RYAN PHILLIPS**. The witness is sworn and questioned. G-39 presented to witness and offered into evidence. **G-39 Accepted and Received in its entirety. G-45, G-144** presented to witness.

11:40 a.m. Sidebar with counsel.

11:42 a.m. The Government continues direct-examination of witness, **RYAN PHILLIPS**. **G-144** presented to witness.

11:45 a.m. Defense cross-examination of witness, **RYAN PHILLIPS**.

11:48 a.m. Government re-direct-examination of witness, **RYAN PHILLIPS**.

11:49 a.m. Defense re-cross-examination of witness, **RYAN PHILLIPS**.

11:50 a.m. The Government calls as its 37th witness, **M.M.**. The witness is sworn and questioned. **G-39** is presented to witness. G-1b (pg 471) presented to witness and offered into evidence, subject to connection. **G-1b (pg 471) Accepted and Received, subject to connection.**

12:05 p.m. Defense cross-examination of witness, **M.M.**.

12:07 p.m. The Government calls as its 38th witness, **V.M.**

12:08 p.m. sidebar with counsel.

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- 12:10 p.m. The Government calls as its 38th witness, **V.M.** The witness is sworn and questioned. **G-43** presented to witness. G-1b (pg 237) presented to witness.
- 12:14 p.m. Sidebar with counsel regarding G-1b (pg 237).
- 12:17 p.m. The Government continues direct-examination of witness, **V.M.**. G-1b (pg 237) offered into evidence, subject to connection. **G-1b (pg 237) Accepted and Received, subject to connection.**
- 12:21 p.m. Defense cross-examination of witness, **V.M.**. **G-1b (pg 237)** presented to witness.
- 12:23 p.m. The jury is excused for a lunch recess until 1:10 p.m.
- 12:23 p.m. Judge D'Agostino addresses counsel and Mr. Adekoya regarding the subpoena issued by Mr. Adekoya to Albany Correctional Facility.
- 12:28 p.m. Lunch recess until 1:10 p.m.
- 1:10 p.m. Judge D'Agostino enters.
- 1:10 p.m. Counsel for the Government addresses the Court regarding a proposed limiting instruction regarding Co-Conspirator Number 10's testimony.
- 1:19 p.m. The jury enters.
- 1:20 p.m. The Government calls as its 39th witness, **CO-CONSPIRATOR Number 10.** The witness is sworn and questioned. **G-181, G-176** presented to witness. G-182 presented to witness and offered into evidence. **G-182, G-39, G-135, G-43 Accepted and Received.** G-138 presented to witness and offered into evidence. **G-138 Accepted and Received. G-10a (pg 57) presented to witness.**
- 2:05 p.m. Sidebar with counsel.
- 2:07 p.m. The Government continues direct-examination of witness, **CO-CONSPIRATOR Number 10. G-10a (pg 57) presented to witness.**
- 2:12 p.m. Judge D'Agostino gives a limiting instruction to the jury regarding attempted intimidation of a witness.
- 2:14 p.m. Defense cross-examination of witness, **CO-CONSPIRATOR Number 10.**

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- 2:24 p.m. Jurors excused for brief recess.
- 2:25 p.m. Judge D'Agostino addresses counsel regarding the testimony of Co-Conspirator Number 10 and addresses attempted potential witness tampering and cites case law from the Second Circuit.
- 2:30 p.m. The Government calls as its *40th witness*, **SPENSER WARREN, FBI Special Agent**. The witness is sworn and questioned. **G-59, G-58** presented to witness.
- 2:35 p.m. Sidebar with counsel.
- 2:39 p.m. The Government continues direct-examination of witness, **SPENSER WARREN, FBI Special Agent**. **G-58, G-291** presented to witness. G-150 presented to witness. G-150, G-149 presented to witness and offered into evidence. **G-150, G-149 Accepted and Received**. G-211, G-211a-ss presented to witness and offered into evidence.
- 2:48 p.m. Sidebar with counsel.
- 2:50 p.m. Judge D'Agostino gives a limiting instruction to the jury regarding incarceration of the defendant.
- 2:51 p.m. The Government continues direct-examination of witness, **SPENSER WARREN, FBI Special Agent**. G-211a-ss is offered into evidence. **G-211a-ss is Accepted and Received**.
- 3:02 p.m. Judge D'Agostino addresses the jurors regarding scheduling.
The jury is excused until Monday, June 16, 2025 at 9:30 a.m.
The Government will resume their direct-examination of witness, Spencer Warren on Monday morning.